

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company (U 39 M), a California Corporation, and Froehlich Construction Co., Inc., for an Order Authorizing the Sale and Conveyance of a Certain Parcel of Land in Kern County Pursuant to Public Utilities Code Section 851.

Application 02-11-035
(Filed November 19, 2002)

**RULING OF ADMINISTRATIVE LAW JUDGE CONFIRMING
SCHEDULE AND ISSUES FOR BRIEFING**

This ruling will confirm the schedule and issues to be briefed by the parties as discussed at the prehearing conference held on March 28, 2003 in San Francisco.

The schedule for this proceeding shall be as follows:

- Completion of discovery: April 25, 2003
- Filing and service of opening briefs: May 23, 2003
- Filing and service of reply briefs: June 6, 2003
- Commission decision: Within 90 days of submittal

A copy of opening and reply briefs shall be submitted directly to me by either e-mail addressed to tom@cpuc.ca.gov, facsimile sent to (415) 703-1723, personal delivery, or overnight mail by no later than the dates above.

The parties shall brief the following issues:

- Whether the property that PG&E proposes to sell to Froehlich Construction Company should be treated as transmission property for ratemaking purposes;

- Whether the Federal Energy Regulatory Commission (FERC) and/or the Commission has jurisdiction over the allocation of PG&E's gain on sale;
- Whether PG&E's gain on sale should be allocated to shareholders and/or ratepayers.

IT IS SO RULED.

Dated April 8, 2003, at San Francisco, California.

/s/ Myra J. Prestidge

Myra J. Prestidge
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Ruling of Administrative Law Judge Confirming Schedule and Issues for Briefing on all parties of record in this proceeding or their attorneys of record.

Dated April 8, 2003, at San Francisco, California.

/s/ Antonina V. Swansen
Antonina V. Swansen

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, *e.g.*, sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.